

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BUDDY SHAW, JR.,

Defendant.

Cause No. CR 21-17-BU-SPW

ORDER

Buddy Shaw, Jr., through counsel, has filed a motion to withdraw his pending 28 U.S.C. § 2255 motion to vacate his sentence. (Doc. 60.) Shaw indicates that after consultation with counsel, he believes it is in his best interest to voluntarily withdraw the motion and pursue other remedies. (*Id.*)

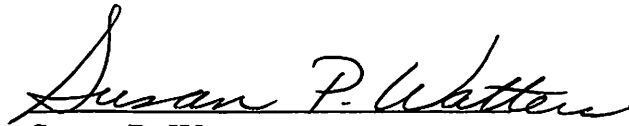
Federal Rule of Civil Procedure 41(a)(1)(A)(i) provides an avenue for voluntary dismissal and Shaw has demonstrated good cause to support his request. The motion will be granted.

Accordingly, IT IS HEREBY ORDERED:

1. Shaw's Motion to Withdraw (Doc. 60) is GRANTED.
2. Shaw's motion to vacate, set aside, or correct the sentence under 28 U.S.C. § 2255 (Docs. 42) is DISMISSED without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(B).

3. The Clerk of Court is directed to close this case.
4. The clerk shall ensure that all pending motions in this case and in CV 23-06-BLG-SPW are terminated and shall close the civil file by entering a judgment of dismissal.

DATED this 15<sup>th</sup> day of August, 2024.

A handwritten signature in black ink, reading "Susan P. Watters". The signature is fluid and cursive, with a large initial "S" and "W".

Susan P. Watters  
United States District Court Judge